

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Jose L. Linares, U.S.D.J.
Appellant	:	
v.	:	Crim. No. 16-155
	:	
GUY GENTILE	:	<b><u>Notice of Appeal</u></b>
Appellee	:	

Notice is hereby given that, pursuant to 18 U.S.C. § 3731, the United States of America hereby appeals to the United States Court of Appeals for the Third Circuit from the District Court's Order dated and entered January 30, 2017 [Docket Entry 33] dismissing the Indictment, as explained in the District Court's accompanying Opinion [Docket Entry 32]. This notice is being filed protectively, to permit the Solicitor General of the United States sufficient time to determine whether to pursue an appeal.

Respectfully submitted,

PAUL J. FISHMAN  
UNITED STATES ATTORNEY



By: Mark E. Coyne  
Assistant U. S. Attorney  
Chief, Appeals Division


March 1, 2017  
Newark, New Jersey

### **CERTIFICATION OF SERVICE**

I hereby certify that on March 1, 2017, I caused a copy of the attached Notice of Appeal to be served electronically, using the Court's CM/ECF system, by Notice of Electronic Filing on the following Filing Users:

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Dated: March 1, 2017